Spurred to action

Cowboy congressman and property-rights advocate Pombo stirs emotionson both sides of the fence with his efforts to rewrite environmental laws

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TRACY – For a decade, Republican Richard Pombo was just a cowboy who had made it to Congress with big ideas and little clout.

To be sure, the Central Valley rancher's outspoken dislike of federal land-use laws made environmentalists wary. But outside his district, his profile was slim.

HOWARD LIPIN / Union-Tribune
Rep. Richard Pombo, chairman of the house Resources Committee, looked out over his 500-acre ranch in Tracy.

Throughout the 1990s, Pombo honed his political skills and impressed party leaders. When it came time to elect a new chairman for the House Resources Committee in 2003, Republican elders passed over several more senior colleagues and crowned Pombo the youngest chairman in Congress on his 42nd birthday.

Overnight, the property-rights activist became a pivotal figure in U.S. land use. His committee is among the largest on Capitol Hill, and it plays a key role in developing policy for the nation's forests, fisheries, wildlife and Indian affairs.

Pombo's mission boils down to a simple concept: “I don't want government in people's lives,” he said one recent evening as the sun set on the rolling green hills of his 500-acre cattle ranch in Tracy.

While that credo is hardly novel, Pombo has given it life in numerous attempts to revise federal environmental regulations. He has supported removing constraints on coastal oil and gas drilling, extracting oil from the Arctic National Wildlife Refuge and selling large swaths of federal land to mining interests.

“We need safeguards for the environment, just like we need them to make sure people don't drive down the wrong side of the road. But the foundations of our policies must inspire economic growth,” Pombo said. “Some of our laws must be updated for the 21st century to reflect this fact.”

In what has become his signature effort, Pombo herded a major

revision of the Endangered Species Act through the House with bipartisan support in September.

His version of the legislation removes a key legal impediment to development, sets new deadlines for agencies and creates a payment program for landowners impacted by species rules.

Past attempts by Pombo and his predecessors to rewrite the law had failed.

The species act of 1973 is a cornerstone of environmental law. It's controversial because it has been used to limit development in places with imperiled species, including San Diego County, which is home to about four dozen federally protected plant and animal species. It also has created a legal logjam with debatable benefits for wildlife.

Another rewrite of the species law is working its way through the Senate, and one aligned with Pombo's bill is likely to be introduced there by month's end.

Environmentalists have ratcheted up their campaign to derail Pombo's legislation. But don't bet against Pombo. His career on Capitol Hill has been one of long odds overcome by steadfast ideology, hard work and maturing political skill.

The question now is whether he can fight off Democrats, moderate Republicans and green-lobby groups targeting his urbanizing district in this fall's election.

Pombo's critics are hounding him with questions about his use of power, his financial ties to lobbyists such as Jack Abramoff – who pleaded guilty to illegal fundraising activities in January – and his war chest, swollen by gifts from industries his committee oversees.

Two weeks ago, Pombo was forced into defensive mode because of revelations that he took his family on an RV tour of national parks in 2003 partly at taxpayer expense. The government paid nearly $5,000 in vehicle rental fees.

Pombo told reporters that it was a business trip to gauge how the parks work. But critics see it as part of a troubling trend.

“He's made a tremendous amount of difference in a bad way,” said Eric Parfrey, a Sierra Club veteran in Stockton who has tracked Pombo's politics for more than a decade. “He truly wants to dial the clock back to the 1920s, before we saw the modern federal state evolve.”

'A bogeyman'

At the center of the furor over Pombo is a philosophical difference about property.

Environmentalists maintain that government ownership and strict regulations often are the best ways to protect habitat. Pombo believes that private landownership and limited government are better for

balancing economic and ecological priorities.

It's the classic American tension between liberal and conservative, played out across the nation's landscape.

Like many farmers and ranchers, Pombo contends that he's a true environmentalist, the kind who takes care of the land because he needs it for his livelihood. He refuses to cede the moral high ground to conservationists, who routinely bash him as an “eco-thug” and a slave to corporate interests.

“They need a bogeyman to raise money,” Pombo said.

One reason for Pombo's success is that he has tapped into a sentiment – particularly in the West – that environmental regulations are unreasonably restricting the nation's resource-intensive industries, from home building and logging to farming and oil drilling.

“He is my champion,” said Roy Denner, president of the Off-Road Business Association in Santee and a Pombo donor.

MICHAEL TEMCHINE / CNS

Rep. Richard Pombo, shown at a committee hearing in Washington, has come under fire from critics who say he has abused his powerful post.

Pombo has raised more than $1 million in the 2006 election cycle, making him one of the most prolific fundraisers in Congress. He gets donations from every corner of California and from as far away as Puerto Rico.

Casinos, energy companies and real estate interests are among his top donors, according to the Center for Responsive Politics, which monitors campaign finance.

Besides his straight-shooter tone, the thing that sticks in many people's minds about Pombo is his cowboy gear.

“He loves the (political) game and he loves the issues, (but) he's never given up his boots,” said Bill Pauli, recent past president of the California Farm Bureau Federation.

The congressman's Web site pictures him wearing a cowboy hat, but his presence in the Capitol is more refined. These days, the stocky rancher of Portuguese descent sports a goatee and jet-black hair that's combed back and tinged gray at the edges.

During a recent interview in Washington, D.C., Pombo spoke sparingly about himself and gravitated toward discussions on policy. He offered no long yarns, just matter-of-fact statements people might expect when discussing hay prices over the back fence.

“I ran for Congress,” he said during a break between votes on the House floor. “I didn't know any better.”

Rancher's mission

Mel Muela figured it was a long shot for “Richie” Pombo, his high school buddy, to be elected to Congress in 1992, if for no other reason than that Pombo was quiet to the point of shyness.

At the time, Pombo was a first-term city councilman in Tracy. He had entered local politics to help influence the city's growth plan, but later sensed that a small-town post wasn't the right forum for his larger property-rights passion.

“I can still remember the day he called me to let me know he was running for Congress,” said Muela, a businessman who lives near Stockton. “I said, 'Like the U.S. Congress?' ... I never would have imagined that he would take a political leap like that.”

Pombo grew up in a modest, Tracy-area farmhouse with four brothers, each sharing the initials R.P. with his father and the family cattle brand. That tradition continues with Pombo's own children, Richie, Rena and Rachel. In high school, Pombo excelled in the vocational farming program. He went on to study agribusiness at California State Polytechnic University Pomona.

HOWARD LIPIN / Union-Tribune
Elected to Congress in 1992, Pombo typically heads home to his family's ranch in Tracy on the weekends. He built a barn for his children's pigs during the congressional recess this winter.

Instead of getting his degree, he married and returned home to help run the ranch. Thanks to Pombo's late uncle, whose company's red-and-white Pombo Real Estate signs dot the region, the family name is etched in the community.

Tracy serves as a key connection between the San Francisco Bay Area and the Central Valley, where the nation's fruit basket ends and the taxing commute over the hills to Silicon Valley begins.

Pombo returns home as often as possible. As soon as he casts his votes for the week, he's on a plane headed west. During this winter's congressional recess, Pombo built a barn for his kids' pigs. It was his way of decompressing from D.C.

The vintage-looking red barn with white trim is a throwback to an earlier time. So are Pombo's truck – a glistening white 1976 Ford Bronco he partly restored – and his wife's recipe for apple-walnut crisscross pie, displayed on his home page.

All the props seem purposefully placed to maintain Pombo's public persona as an all-American guy. Allies say it's no facade.

To back it all up, Pombo answers questions with time-tested sentences from the political playbook: His goal in Washington is to “make a difference.” He's fighting for “the little guys” – like his dad – who don't have the bank accounts to stand up to government's demands about protecting species on private lands.

Such messages, delivered with self-deprecating humor, play well in the 11th Congressional District, where Republicans maintain a 7-percentage-point advantage among registered voters. At a recent meeting of the Lodi Lions Club, the group's yellow-vested members welcomed Pombo with a standing ovation before he said a word. Then, Pombo told them how he was trying to lower their energy bills, protect species and bring home highway money.

Despite continuing sympathy for his ideology, the social dynamics in his city are changing. Once a farm town, Tracy is swelling with auto dealers, cookie-cutter homes and upscale shopping complexes. It's brimming with nearly 80,000 residents, including Bay Area transplants who bring more liberal views to

the valley.

Determined novice

By his mid-20s, Pombo was making his name in local ranching circles. For example, he helped establish the San Joaquin County Citizens Land Alliance to fight for the rights of private property owners.

“Government officials are bold and innovative when it comes to figuring out ways to take what rightfully belongs to you,” he and co-author Joseph Farah wrote in their 1996 property-rights manifesto, “This Land Is Our Land.”

The book recounts how Pombo became entangled with property issues. In the early 1980s, it said, a railroad right of way that passed through his ranch and others was abandoned, and a local park district started trying to secure it as a trail.

The prospect frightened ranchers, who figured the next step would be for the park district to protect the “viewshed” – all the area that can be seen from the trail. Fearing infringement on their farms, the ranchers organized a resistance movement.

HOWARD LIPIN / Union-Tribune

The Pombo name is well-known in Tracy, thanks in part to a real estate company run by the Republican congressman's relatives.

Pombo's version of the trails dispute has been challenged over the years. But the result was that a political novice and property-rights advocate became determined to make fundamental changes in federal laws concerning land use.

Despite having a reputation of being too young and inexperienced, in 1992 he won his first congressional term by beating Democrat Patti Garamendi 48 percent to 46 percent. Then, Pombo showed his talent for maneuvering through the political throng.

“He just has an ability to survey the situation and understand how to get it done,” said Paul A. Kavinoky, one of Pombo's early staff members in Congress and now a Washington lobbyist. “He grew up on a ranch. If Dad said, 'Fix the fence,' you figured out a way to fix the fence.”

Hitting his stride

After Pombo ascended to the committee chair, home builders, Indian tribes, oil companies and other interest groups reportedly threw down $250,000 for the kind of party you don't find in Tracy.

The scene at the ultra-hip Crobar club in New York City was detailed by The National Journal, a political magazine. Dance-hall girls handed out cowboy hats and “Pombo-Palooza” buttons, the Charlie Daniels Band made the music, a mechanical bull entertained guests, and politicians schmoozed in private quarters.

In some ways, it was a fitting tribute to a man who broke House tradition by lobbying on his own behalf for the top Resources Committee job. Despite his reserved demeanor, Pombo has an actor's knack for dramatic rhetoric.

“The (Endangered Species Act) is still stuck in 1973, wearing leisure suits, mood rings and collecting pet rocks,” he quipped in September during a string of legislative moves that put the Pombo name on editorial pages across the nation.

At about the same time, the Resources Committee set off sirens with a budget analysis that explored selling more than a dozen national parks. A related document was leaked to the press, sparking outrage among parks lovers.

Pombo spokesman Brian Kennedy said the concept of selling parks was a bureaucratic exercise, not a serious proposal.

Environmentalists remain wary.

“I think it was something that they know didn't pass the laugh test, and they can just take that (provision) out and somehow all their other outrageous positions are going to seem more acceptable,” said Tiernan Sittenfeld, legislative director for the League of Conservation Voters in Washington, D.C.

In November, Pombo backed a failed proposal to sell federal land for mineral exploration. He pushed it as a way to make money for the Treasury and bolster rural economic development.

Such eyebrow-raising moves led The New York Times to publish an editorial stating, “Mr. Pombo's only idea, and it is a terrible one, is to treat this nation the way he treats his Congressional district, as if it were ripe for exploitation.”

Controversial politics

Pombo's most famous effort involves the Endangered Species Act.

He came to Congress and quickly set about rewriting it. His effort fizzled, but later Pombo was tapped by former Resources Committee Chairman Don Young, R-Alaska, to try again. That attempt failed when Pombo realized the Senate wasn't interested in his bill.

It brought home an important lesson for him: Strong bipartisan support is critical. In recent years, he has collaborated with Sen. Dianne Feinstein, D-Calif., on forest and flood-control legislation.

This time around, his species-law revisions target central constructs of the existing law.

For instance, they would do away with designations of critical habitat, a highly contentious policy that limits development – particularly in the West – and has generated an endless loop of lawsuits.

Pombo's bill also includes a provision to pay property owners for land that the government effectively takes out of use through species regulations.

The current law is actually having negative consequences for species, Pombo said. “People are managing their property in ways so that they don't attract wildlife,” he said.

His bill passed the House last year on a 229-193 vote. Through it all, Pombo couched his retooling as a way to help species, though few opponents buy that explanation. Some of his foes dubbed it the “Pombo Wildlife Extinction Bill.”

“He used to say, 'We need to get rid of the ESA,' and he's changed to, 'We need to fix it.' His bill matches his old rhetoric,” said Colin Rowan, a spokesman for the national activism group Environmental Defense.

Pete McCloskey, a former Bay Area congressman and an early supporter of the original species legislation, said Pombo's changes would fuel development.

“He wants to eviscerate the law,” said McCloskey, who in January announced that he would challenge Pombo in this summer's Republican primary.

McCloskey's critique extends beyond Pombo's conservative streak. He sees Pombo as part of a power-drunk GOP elite along with the likes of former House Majority Leader Tom DeLay, R-Texas, and former Rancho Santa Fe Rep. Randy “Duke” Cunningham, who resigned in December after he admitted accepting $2.4 million in bribes.

Indeed, Pombo's rising profile has been matched by rising questions about his ethics. He has been accused of pushing for Tracy-area freeways that could boost the value of his family's land. Critics also contend that he has misused his official mailing privileges on partisan issues.

Other questions revolve around political donations from Indian tribes, particularly those that testify in front of the Resources Committee.

Pombo dismisses such complaints as groundless partisan attacks that just keep getting repeated until the line is blurred between fact and fiction. So far, none of the accusations has caused major political damage.

Regardless, Democrats say he's vulnerable, and challengers besides McCloskey are lining up to take him on in this year's election. Pombo isn't flinching. He seems more concerned about getting the Senate to pass his species-act revisions.

At the same time, Pombo's committee is already eyeing potentially major revisions to other key environmental laws, including the National Environmental Policy Act of 1969 and the Mining Law of 1872.

In some cases, “outdated command-and-control regulations are reaching the point of diminishing returns for the environment because they are out of step with technological and economic progress,” Pombo said. “We can and must do better.”

■ Union-Tribune research librarian Denise Davidson contributed to this report.